

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:24-cv-04806-KPF**

Securities and Exchange Commission v. Brda et al
Assigned to: Judge Katherine Polk Failla
Cause: 12:22 Securities Fraud

Date Filed: 06/25/2024
Date Terminated: 11/18/2024
Jury Demand: Plaintiff
Nature of Suit: 850 Securities/Commodities
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Securities and Exchange Commission

represented by **Christopher A Rogers**
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V.

Defendant

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Date Filed	#	Docket Text
06/25/2024	<u>1</u>	COMPLAINT against John Brda, Georgios Palikaras. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover sheet).(Disbennett, Patrick) (Entered: 06/25/2024)
06/25/2024	<u>2</u>	FILING ERROR – PDF ERROR – MOTION for Patrick B. Disbennett to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A Declaration, # <u>2</u> Exhibit B Texas Bar Certificate, # <u>3</u> Exhibit C Texas Supreme Court Certificate, # <u>4</u> Exhibit D Illinois Supreme Court Certificate).(Disbennett, Patrick) Modified on 6/25/2024 (bc). (Entered: 06/25/2024)
06/25/2024	<u>3</u>	FILING ERROR – PDF ERROR – MOTION for Christopher A. Rogers to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A Declaration, # <u>2</u> Exhibit B Texas Bar Certificate, # <u>3</u> Exhibit C Texas Supreme Court Certificate).(Rogers, Christopher) Modified on 6/25/2024 (bc). (Entered: 06/25/2024)
06/25/2024	<u>4</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – PROPOSED ORDER. Document filed by Securities and Exchange Commission. Related Document Number: <u>2</u> ..(Disbennett, Patrick) Proposed Order to be reviewed by Clerk's Office staff. Modified on 6/25/2024 (bc). Modified on

6/25/2024 (bc). (Entered: 06/25/2024)

06/25/2024	<u>I 5</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – PROPOSED ORDER. Document filed by Securities and Exchange Commission. Related Document Number: <u>3</u> ..(Rogers, Christopher) Proposed Order to be reviewed by Clerk's Office staff. Modified on 6/25/2024 (bc). (Entered: 06/25/2024)
06/25/2024	<u>I 6</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – PROPOSED ORDER. Document filed by Securities and Exchange Commission. Related Document Number: <u>2</u> ..(Disbennett, Patrick) Proposed Order to be reviewed by Clerk's Office staff. Modified on 6/25/2024 (bc). (Entered: 06/25/2024)
06/25/2024	<u>I</u>	>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE–FILE Document No. <u>2</u> MOTION for Patrick B. Disbennett to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Proposed Order;. Re–file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order.. (bc) (Entered: 06/25/2024)
06/25/2024	<u>I</u>	>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE–FILE Document No. <u>3</u> MOTION for Christopher A. Rogers to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. The filing is deficient for the following reason(s): missing Proposed Order;. Re–file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order.. (bc) (Entered: 06/25/2024)
06/25/2024	<u>I 7</u>	MOTION for Patrick Disbennett to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A Declaration, # <u>2</u> Exhibit B Texas Bar Certificate, # <u>3</u> Exhibit C Texas Supreme Court Certificate, # <u>4</u> Exhibit D Illinois Supreme Court Certificate, # <u>5</u> Proposed Order Proposed Order).(Disbennett, Patrick) (Entered: 06/25/2024)
06/25/2024	<u>I 8</u>	MOTION for Christopher A. Rogers to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A Declaration, # <u>2</u> Exhibit B Texas Bar Certificate, # <u>3</u> Exhibit C Supreme Court Certificate, # <u>4</u> Proposed Order Proposed Order).(Rogers, Christopher) (Entered: 06/25/2024)
06/25/2024	<u>I</u>	>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>7</u> MOTION for Patrick Disbennett to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bc) (Entered: 06/25/2024)
06/25/2024	<u>I</u>	>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>8</u> MOTION for Christopher A. Rogers to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bc) (Entered: 06/25/2024)
06/26/2024	<u>I</u>	***NOTICE TO ATTORNEY TO ELECTRONICALLY FILE CIVIL COVER SHEET. Notice to Attorney Patrick Brett Disbennett. Attorney must electronically file the Civil Cover Sheet separately. Use the event type Civil Cover Sheet found under the event list Other Documents. (jgo) (Entered: 06/26/2024)
06/26/2024	<u>I</u>	***NOTICE TO ATTORNEY REGARDING CIVIL CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Patrick Brett Disbennett. The following case

opening statistical information was erroneously selected/entered: County code Westchester;. The following correction(s) have been made to your case entry: the County code has been modified to XX Out of State;. (jgo) (Entered: 06/26/2024)

06/26/2024	<u>I</u>	CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Katherine Polk Failla. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at (https://nysd.uscourts.gov/rules/ecf-related-instructions..(jgo) (Entered: 06/26/2024)
06/26/2024	<u>I</u>	Magistrate Judge Ona T. Wang is designated to handle matters that may be referred in this case. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (jgo) (Entered: 06/26/2024)
06/26/2024	<u>I</u>	Case Designated ECF. (jgo) (Entered: 06/26/2024)
06/26/2024	<u>I 9</u>	CIVIL COVER SHEET filed..(Disbennett, Patrick) (Entered: 06/26/2024)
06/27/2024	<u>I 10</u>	WAIVER OF SERVICE RETURNED EXECUTED. Georgios Palikaras waiver sent on 6/26/2024, answer due 8/26/2024. Document filed by Securities and Exchange Commission..(Disbennett, Patrick) (Entered: 06/27/2024)
07/01/2024	<u>I 11</u>	WAIVER OF SERVICE RETURNED EXECUTED. John Brda waiver sent on 6/25/2024, answer due 8/26/2024. Document filed by Securities and Exchange Commission..(Disbennett, Patrick) (Entered: 07/01/2024)
07/16/2024	<u>I 12</u>	ORDER AS TO CHRISTOPHER A. ROGERS MOTION FOR ADMISSION PRO HAC VICE granting <u>3</u> Motion to Appear Pro Hac Vice; granting <u>8</u> Motion to Appear Pro Hac Vice. The motion of Christopher A. Rogers, for admission to practice Pro Hac Vice in the above–captioned action is granted. As further set forth by this Order. SO ORDERED. The Clerk of Court is directed to terminate the pending motions at docket entries 3 and 8. (Signed by Judge Katherine Polk Failla on 7/16/2024) (tg) (Entered: 07/16/2024)
07/16/2024	<u>I 13</u>	ORDER AS TO PATRICK DISBENNETT'S MOTION FOR ADMISSION PRO HAC VICE granting <u>7</u> Motion to Appear Pro Hac Vice; granting <u>2</u> Motion to Appear Pro Hac Vice. The motion of Patrick Disbennett, for admission to practice Pro Hac Vice in the above– captioned action is granted. As further set forth by this Order. The Clerk of Court is directed to terminate the pending motions at docket entries 2 and 7. (Signed by Judge Katherine Polk Failla on 7/16/2024) (tg) (Entered: 07/16/2024)
07/18/2024	<u>I 14</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: This case has been assigned to me for all purposes. It is hereby ORDERED that counsel for all parties appear for an initial pretrial conference with the Court on September 13, 2024, at 3:30 p.m. The conference will be held telephonically. At the scheduled date and time, the parties are to call (888) 363–4749 and enter access code 5123533. Initial Conference set for 9/13/2024 at 03:30 PM before Judge Katherine Polk Failla. (Signed by Judge Katherine Polk Failla on 7/18/2024) (rro) (Entered: 07/18/2024)
08/01/2024	<u>I 15</u>	NOTICE of Proof of Service re: <u>14</u> Order for Initial Pretrial Conference,,. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Affidavit Declaration, # <u>2</u> Exhibit 1 Email to Counsel of the Notice of Pretrial Conference (Dkt.14), # <u>3</u> Exhibit 2 Proof of Service of Email, # <u>4</u> Exhibit 3 Email to Counsel of the Individual Rules of Practice in Civil Cases, # <u>5</u> Exhibit 4 Proof of Service of Email).(Disbennett, Patrick) (Entered: 08/01/2024)
08/08/2024	<u>I 16</u>	

		NOTICE OF APPEARANCE by Steven Rosato on behalf of John Brda..(Rosato, Steven) (Entered: 08/08/2024)
08/08/2024	<u>17</u>	MOTION to Transfer Case . Document filed by John Brda..(Rosato, Steven) (Entered: 08/08/2024)
08/08/2024	<u>18</u>	MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Transfer Case . . Document filed by John Brda..(Rosato, Steven) (Entered: 08/08/2024)
08/08/2024	<u>19</u>	DECLARATION of John Brda in Support re: <u>17</u> MOTION to Transfer Case .. Document filed by John Brda..(Rosato, Steven) (Entered: 08/08/2024)
08/08/2024	<u>20</u>	NOTICE OF APPEARANCE by Kayla Joyce on behalf of Georgios Palikaras..(Joyce, Kayla) (Entered: 08/08/2024)
08/08/2024	<u>21</u>	MOTION for Jessica B. Magee to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29726758. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Georgios Palikaras. (Attachments: # <u>1</u> Affidavit /Declaration of Jessica B. Magee, # <u>2</u> Exhibit 1 – Certificate of Good Standing, # <u>3</u> Proposed Order to admit Jessica B. Magee Pro Hac Vice).(Magee, Jessica) (Entered: 08/08/2024)
08/08/2024	<u>22</u>	MOTION to Transfer Case <i>to the United States District Court for the Eastern District of Texas.</i> Document filed by Georgios Palikaras..(Joyce, Kayla) (Entered: 08/08/2024)
08/08/2024	<u>23</u>	MEMORANDUM OF LAW in Support re: <u>22</u> MOTION to Transfer Case <i>to the United States District Court for the Eastern District of Texas.</i> . Document filed by Georgios Palikaras..(Joyce, Kayla) (Entered: 08/08/2024)
08/09/2024	<u>1</u>	>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>21</u> MOTION for Jessica B. Magee to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29726758. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (rju) (Entered: 08/09/2024)
08/14/2024	<u>24</u>	LETTER MOTION for Extension of Time to File addressed to Judge Katherine Polk Failla from Steven M. Rosato dated August 14, 2024. Document filed by John Brda. (Attachments: # <u>1</u> Proposed Order Setting Briefing Schedule and Extending Time).(Rosato, Steven) (Entered: 08/14/2024)
08/15/2024	<u>25</u>	MOTION for Jason S. Lewis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29757783. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by John Brda. (Attachments: # <u>1</u> Exhibit A Declaration of Jason S. Lewis, # <u>2</u> Exhibit B Certificate of Good Standing State Bar of Texas, # <u>3</u> Exhibit C Certificate of Good Standing Supreme Court of Texas, # <u>4</u> Proposed Order of Admission pro hac vice).(Lewis, Jason) (Entered: 08/15/2024)
08/15/2024	<u>1</u>	>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>25</u> MOTION for Jason S. Lewis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29757783. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bc) (Entered: 08/15/2024)
08/15/2024	<u>26</u>	NOTICE OF APPEARANCE by Jessica Magee on behalf of Georgios Palikaras..(Magee, Jessica) (Entered: 08/15/2024)
08/15/2024	<u>27</u>	STIPULATION AND ORDER SETTING BRIEFING SCHEDULE AND EXTENDING TIME: NOW, THEREFORE, THE PARTIES STIPULATE AND AGREE, subject to the approval of the Court, as follows: 1. Any opposition to the motions to transfer venue shall be filed on or before September 4, 2024, and any reply in further support of the motions shall be filed on or before September 11, 2024. 2. Defendants' deadline to answer, move, or otherwise respond to the complaint is hereby extended through and including October 10, 2024. The initial pre-trial

		conference currently scheduled for September 13, 2024, is hereby ADJOURNED sine die, pending the outcome of Defendants' motion to transfer. The Clerk of Court is directed to terminate the pending motion at docket entry 24. SO ORDERED. John Brda answer due 10/10/2024; Georgios Palikaras answer due 10/10/2024.(Replies due by 9/11/2024., Responses due by 9/4/2024), Motions terminated: <u>24</u> LETTER MOTION for Extension of Time to File addressed to Judge Katherine Polk Failla from Steven M. Rosato dated August 14, 2024. filed by John Brda. (Signed by Judge Katherine Polk Failla on 8/15/2024) (vfr) (Entered: 08/15/2024)
08/16/2024	<u>28</u>	ORDER GRANTING ADMISSION TO PRACTICE PRO HAC VICE granting <u>21</u> Motion for Jessica B. Magee to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice pro hac vice in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. The Clerk of Court is directed to terminate the pending motion at docket entry 21. (Signed by Judge Katherine Polk Failla on 8/16/2024) (sgz) (Entered: 08/16/2024)
08/16/2024	<u>29</u>	ORDER AS TO MOTION FOR PRO HAC VICE ADMISSION OF JASON S. LEWIS granting <u>25</u> Motion for Jason S. Lewis to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice Pro Hac Vice in theabove captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. The Clerk of Court is directed to terminate the pending motion atdocket entry 25. (Signed by Judge Katherine Polk Failla on 8/16/2024) (sgz) (Entered: 08/16/2024)
08/16/2024	<u>30</u>	MOTION for Jason M. Hopkins to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29764947. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by John Brda. (Attachments: # <u>1</u> Exhibit A Declaration of Jason M. Hopkins, # <u>2</u> Exhibit B Certificate of Good Standing State Bar of Texas, # <u>3</u> Exhibit C Certificate of Good Standing Supreme Court of Texas, # <u>4</u> Proposed Order Granting pro hac vice motion).(Hopkins, Jason) (Entered: 08/16/2024)
08/16/2024	<u>31</u>	>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>30</u> MOTION for Jason M. Hopkins to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29764947. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bc) (Entered: 08/16/2024)
08/19/2024	<u>31</u>	ORDER AS TO MOTION FOR PRO HAC VICE ADMISSION OF JASON M. HOPKINS granting <u>30</u> Motion for Jason M. Hopkins to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice Pro Hac Vice in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. The Clerk of Court is directed to terminate the pending motion at docket entry 30. (Signed by Judge Katherine Polk Failla on 8/19/2024) (sgz) (Entered: 08/19/2024)
09/04/2024	<u>32</u>	MEMORANDUM OF LAW in Opposition re: <u>22</u> MOTION to Transfer Case <i>to the United States District Court for the Eastern District of Texas.</i> , <u>17</u> MOTION to Transfer Case . . Document filed by Securities and Exchange Commission..(Disbennett, Patrick) (Entered: 09/04/2024)
09/04/2024	<u>33</u>	DECLARATION of Ty S. Martinez in Opposition re: <u>22</u> MOTION to Transfer Case <i>to the United States District Court for the Eastern District of Texas.</i> , <u>17</u> MOTION to Transfer Case .. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8).(Disbennett, Patrick) (Entered: 09/04/2024)
09/10/2024	<u>34</u>	REPLY MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Transfer Case . . Document filed by John Brda..(Rosato, Steven) (Entered: 09/10/2024)

09/10/2024	<u>I</u> <u>35</u>	DECLARATION of John Brda (Supplemental) in Support re: <u>17</u> MOTION to Transfer Case .. Document filed by John Brda..(Rosato, Steven) (Entered: 09/10/2024)
09/11/2024	<u>I</u> <u>36</u>	REPLY MEMORANDUM OF LAW in Support re: <u>17</u> MOTION to Transfer Case . . Document filed by Georgios Palikaras..(Magee, Jessica) (Entered: 09/11/2024)
10/10/2024	<u>I</u> <u>37</u>	CONSENT LETTER MOTION for Leave to File Motion to Dismiss addressed to Judge Katherine Polk Failla from Jessica B. Magee dated October 10, 2024. Document filed by Georgios Palikaras..(Magee, Jessica) (Entered: 10/10/2024)
10/10/2024	<u>I</u> <u>38</u>	CONSENT LETTER MOTION for Leave to File Motion to Dismiss addressed to Judge Katherine Polk Failla from Steven M. Rosato dated October 10, 2024. Document filed by John Brda..(Rosato, Steven) (Entered: 10/10/2024)
11/18/2024	<u>I</u> <u>39</u>	ORDER granting <u>17</u> Motion to Transfer Case; granting <u>22</u> Motion to Transfer Case. For the reasons set forth above, the Court GRANTS Defendants' motion to transfer this case to the Eastern District of Texas. The Clerk of Court is directed to terminate the pending motions at docket entries 17 and 22. The Clerk of Court is further directed to transfer this case in its entirety to the United States District Court for the Eastern District of Texas. SO ORDERED. (Signed by Judge Katherine Polk Failla on 11/18/2024) (sgz) Transmission to Office of the Clerk of Court for processing. (Entered: 11/18/2024)
11/18/2024	<u>I</u>	CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court – District of Eastern District of Texas.(sgz) (Entered: 11/26/2024)